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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

In re NVIDIA CORPORATION  
 SECURITIES LITIGATION

Case No. 4:18-cv-07669-HSG

This Document Relates to:

ALL ACTIONS

**DECLARATION OF SAMANTHA KIRBY IN  
 SUPPORT OF DEFENDANTS' MOTION TO  
 DISMISS CONSOLIDATED CLASS ACTION  
 COMPLAINT**

Date: October 31, 2019  
 Time: 2:00 p.m.  
 Judge: Hon. Haywood S. Gilliam, Jr.  
 Courtroom: 2

I, Samantha A. Kirby, make the following declaration:

**1.** I am an associate with the law firm of Cooley LLP, counsel of record for Defendants NVIDIA Corporation ("NVIDIA"), Jensen Huang, Colette M. Kress, and Jeff Fisher (together, "Defendants"), in the above-captioned matter. I am a member in good standing for the Bar of California. I submit this Declaration in Support of Defendants' Motion to Dismiss Consolidated Class Action Complaint. I have knowledge of the following, and, if called as a witness, I could and would testify competently thereto.

**2.** Attached hereto as **Exhibit A** to this declaration is a true and correct copy of a published transcript of NVIDIA's Analyst/Investor Day Presentation held on May 10, 2017.

1           **3.** Attached hereto as **Exhibit B** to this declaration is a true and correct copy of NVIDIA's  
2 quarterly report on Form 10-Q for the first quarter of its fiscal year 2018, filed with the U.S. Securities  
3 and Exchange Commission ("SEC") on May 23, 2017.

4           **4.** Attached hereto as **Exhibit C** to this declaration is a true and correct copy of a published  
5 transcript of an earnings call held by NVIDIA on August 10, 2017 regarding the second quarter of its  
6 fiscal year 2018.

7           **5.** Attached hereto as **Exhibit D** to this declaration is a true and correct copy of an article  
8 published by *VentureBeat* on August 12, 2017 that contains an "edited transcript" of *VentureBeat's*  
9 interview of NVIDIA CEO Huang, and available at [https://venturebeat.com/2017/08/12/nvidia-ceo-](https://venturebeat.com/2017/08/12/nvidia-ceo-cryptocurrency-ai-and-the-leisure-economy/)  
10 [cryptocurrency-ai-and-the-leisure-economy/](https://venturebeat.com/2017/08/12/nvidia-ceo-cryptocurrency-ai-and-the-leisure-economy/).

11           **6.** Attached hereto as **Exhibit E** to this declaration is a true and correct copy of an analyst  
12 report published by Cannacord Genuity Group, Inc. dated August 13, 2017.

13           **7.** Attached hereto as **Exhibit F** to this declaration is a true and correct copy of an analyst  
14 report published by Argus Research Company dated August 14, 2017.

15           **8.** Attached hereto as **Exhibit G** to this declaration is a true and correct copy of NVIDIA's  
16 quarterly report on Form 10-Q for the second quarter of its fiscal year 2018, filed with the SEC on  
17 August 23, 2017.

18           **9.** Attached hereto as **Exhibit H** to this declaration is a true and correct copy of a  
19 published transcript of NVIDIA's presentation from a conference hosted by Citigroup Global Markets  
20 Inc. on September 6, 2017.

21           **10.** Attached hereto as **Exhibit I** to this declaration is a true and correct copy of a Statement  
22 of Changes in Beneficial Ownership on Form 4, filed with the SEC on behalf of NVIDIA CEO Huang  
23 on September 8, 2017.

24           **11.** Attached hereto as **Exhibit J** to this declaration is a true and correct copy of a published  
25 transcript of an earnings call held by NVIDIA on November 9, 2017 regarding the third quarter of its  
26 fiscal year 2018.

27           **12.** Attached hereto as **Exhibit K** to this declaration is an analyst report published by  
28 Deutsche Bank Securities Inc. dated November 9, 2017.

1           **13.** Attached hereto as **Exhibit L** to this declaration is a true and correct copy of an analyst  
2 report published by Citigroup Global Markets Inc. dated November 10, 2017.

3           **14.** Attached hereto as **Exhibit M** to this declaration is a true and correct copy of an article  
4 published by *VentureBeat* on November 10, 2017 that contains an “edited transcript” of *VentureBeat*’s  
5 interview of NVIDIA CEO Huang, and available at [https://venturebeat.com/2017/11/10/nvidia-ceo-](https://venturebeat.com/2017/11/10/nvidia-ceo-gaming-will-be-huge-but-so-will-ai-and-data-center-businesses/)  
6 [gaming-will-be-huge-but-so-will-ai-and-data-center-businesses/](https://venturebeat.com/2017/11/10/nvidia-ceo-gaming-will-be-huge-but-so-will-ai-and-data-center-businesses/).

7           **15.** Attached hereto as **Exhibit N** to this declaration is a true and correct copy of NVIDIA’s  
8 quarterly report on Form 10-Q for the third quarter of its fiscal year 2018, filed with the SEC on  
9 November 21, 2017.

10           **16.** Attached hereto as **Exhibit O** to this declaration is a true and correct copy of a  
11 published transcript of NVIDIA’s presentation from a conference hosted by Credit Suisse AG on  
12 November 29, 2017.

13           **17.** Attached hereto as **Exhibit P** to this declaration is a true and correct copy of a published  
14 transcript of an earnings call held by NVIDIA on February 8, 2018 regarding the fourth quarter of its  
15 fiscal year 2018.

16           **18.** Attached hereto as **Exhibit Q** to this declaration is a true and correct copy of an analyst  
17 report published by Deutsche Bank Securities Inc. dated February 8, 2018.

18           **19.** Attached hereto as **Exhibit R** to this declaration is a true and correct copy of an analyst  
19 report published by Morgan Stanley Smith Barney LLC dated February 9, 2018.

20           **20.** Attached hereto as **Exhibit S** to this declaration is a true and correct copy of an analyst  
21 report published by Susquehanna Financial Group, LLLP dated February 9, 2018.

22           **21.** Attached hereto as **Exhibit T** to this declaration is a true and correct copy of an article  
23 published by *Barron’s* on February 9, 2018 that quotes a portion of an interview of NVIDIA CEO  
24 Huang, and available at [https://www.barrons.com/articles/nvidia-ceo-huang-crypto-is-real-the-world-](https://www.barrons.com/articles/nvidia-ceo-huang-crypto-is-real-the-world-is-coming-to-terms-with-it-1518188630)  
25 [is-coming-to-terms-with-it-1518188630](https://www.barrons.com/articles/nvidia-ceo-huang-crypto-is-real-the-world-is-coming-to-terms-with-it-1518188630).

26           **22.** Attached hereto as **Exhibit U** to this declaration is a true and correct copy of a published  
27 transcript of NVIDIA’s presentation from a conference hosted by Goldman Sachs Group Inc. on  
28 February 13, 2018.

1           **23.** Attached hereto as **Exhibit V** to this declaration is a true and correct copy of a published  
2 transcript of NVIDIA's presentation from a conference hosted by Morgan Stanley Smith Barney LLC  
3 on February 26, 2018.

4           **24.** Attached hereto as **Exhibit W** to this declaration is a true and correct copy of  
5 NVIDIA's annual report on Form 10-K for its fiscal year 2018, filed with the SEC on February 28,  
6 2018.

7           **25.** Attached hereto as **Exhibit X** to this declaration is a true and correct copy of an article  
8 published by *TechCrunch* on March 26, 2018 that paraphrases a portion of an interview of NVIDIA  
9 CEO Huang, and available at <https://techcrunch.com/2018/03/26/nvidia-looks-to-the-ai-future/>.

10           **26.** Attached hereto as **Exhibit Y** to this declaration is a true and correct copy of a transcript  
11 of an interview of NVIDIA CEO Huang aired during the March 29, 2018 episode of the television  
12 program *Mad Money*, available at <https://www.youtube.com/watch?reload=9&v=SgR4rZKtZEg>.  
13 This transcript was prepared by Transperfect Legal Solutions on June 24, 2019.

14           **27.** Attached hereto as **Exhibit Z** to this declaration is a true and correct copy of a published  
15 transcript of an earnings call held by NVIDIA on May 10, 2018 regarding the first quarter of its fiscal  
16 year 2019.

17           **28.** Attached hereto as **Exhibit AA** to this declaration is a true and correct copy of a  
18 published transcript of an earnings call held by NVIDIA on August 16, 2018 regarding the second  
19 quarter of its fiscal 2019.

20           **29.** Attached hereto as **Exhibit BB** to this declaration is a true and correct copy of a  
21 published transcript of an earnings call held by NVIDIA on November 15, 2018 regarding the third  
22 quarter of its fiscal year 2019.

23           **30.** Attached hereto as **Exhibit CC** to this declaration is a true and correct copy of a press  
24 release published by NVIDIA on November 15, 2018 regarding the Company's reported earnings for  
25 the third quarter of its fiscal year 2019.

26           **31.** Attached hereto as **Exhibit DD** to this declaration is a true and correct copy of  
27 NVIDIA's quarterly report on Form 10-Q for the third quarter of its fiscal year 2019, filed with the  
28 SEC on November 15, 2018.

34. Attached hereto as **Exhibit GG** to this declaration is a true and correct copy of a chart of the daily trading prices of NVIDIA from May 10, 2017 until November 14, 2018, as reported by Yahoo Finance, collected from <https://finance.yahoo.com/quote/NVDA/history?p=NVDA> on August 2, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 2, 2019 in Palo Alto, California.

*/s/ Samantha A. Kirby*  
Samantha A. Kirby